

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

v.

24-CR-62-LJV-JJM
DECISION & ORDER

OMAR MARRERO,

Defendant.

1. On July 18, 2024, the defendant, Omar Marrero, pleaded guilty to count 1 of the information charging a violation of Title 21, United States Code, Section 841(a)(1) and 841(b)(1)(C) (possession with intent to distribute cocaine). Docket Item 11.

2. On July 18, 2024, the Honorable Jeremiah J. McCarthy, United States Magistrate Judge filed a Report & Recommendation recommending that the defendant's plea of guilty be accepted and that the defendant be adjudged guilty. Docket Items 13.

3. This Court has not received objections to the Report and Recommendation in accordance with Title 28, United States Code, Section 636(b)(1), and Rule 59(b) of the Federal Rules of Criminal Procedure, and the time to object now has expired.

4. This Court has carefully reviewed *de novo* Judge McCarthy's Report & Recommendation (Docket Item 13), the plea agreement (Docket Item 11), the information (Docket Item 10), a transcript of the plea proceedings (Docket Item 14), and the applicable law. This Court finds no legal or factual error in Judge McCarthy's Report & Recommendation and therefore adopts Judge McCarthy's recommendation that the

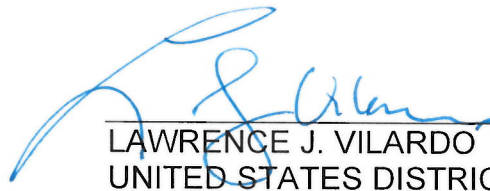
defendant's plea of guilty be accepted and that the defendant be adjudged guilty of count 1 of the information.

IT IS HEREBY ORDERED that this Court adopts Judge McCarthy's July 18, 2024 Report & Recommendation, Docket Item 13, in its entirety, including the authorities cited and the reasons given therein, and it is further

ORDERED that the Court accepts the defendant's plea of guilty and defers acceptance of the plea agreement pursuant to Sentencing Guidelines Section 6B1.1(c), and the defendant, Omar Marrero is now adjudged guilty under Title 21, United States Code, Section 841(a)(1) and 841(b)(1)(C).

SO ORDERED.

Dated: December 23, 2024
Buffalo, New York


LAWRENCE J. VILARDO
UNITED STATES DISTRICT JUDGE